

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
June 21, 2010

- D055225     Tarte et al. v. City of Poway**  
The judgment is affirmed as to appellants' petition for a writ of prohibition. Otherwise, the judgment is reversed and the matter remanded to the trial court for further proceedings consistent with this opinion. The parties shall bear their own costs. O'Rourke, J.; We Concur: McConnell, P.J., McIntyre, J.
- D055392     In re Marriage of Singer**  
The orders are affirmed. O'Rourke, J.; We Concur: McConnell, P.J., McIntyre, J.
- D057497     Bautista v. Superior Court of San Diego County/The People**  
The petition is denied.
- D057457     In re Estrada on Habeas Corpus**  
The petition is denied.
- D056076     People v. Laguna**  
The judgment is affirmed. Nares, J.; We Concur: Benke, Acting P.J., Aaron, J.
- D056550     People v. Ray**  
The judgment is affirmed. McConnell, P.J.; We Concur: Nares, J., McDonald, J.
- D056360     In re Sebastian G. et al., Juveniles**  
Edward's appeal is dismissed. With respect to T.H.'s appeal, the findings and orders are affirmed. Nares, J.; We Concur: McConnell, P.J., O'Rourke, J.
- D056941     L.C. v. The Superior Court of San Diego County/San Diego County Health and Human Services Agency**  
The petition is denied. The request for a stay is denied. Irion, J.; We Concur: Benke, Acting P.J., Huffman, J.
- D056647     People v. Dominick**  
The petition for rehearing is denied.
- D054728     Homeowners Association of Meadowbrook Estates, Inc., et al. v. Equity Lifestyle Properties, Inc., et al.**  
The judgment is reversed, and this action is remanded to the trial court for proceedings consistent with this opinion. Irion, J.; We Concur: Benke, Acting P.J., McIntyre, J.

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- D056504     People v. Smalls, Jr.**  
The judgment is affirmed. Irion, J.; We Concur: O'Rourke, Acting P.J., Aaron, J.
- D057270     J.S. et al. v. The Superior Court of San Diego County/S.D. County Health & Human Services Agency**  
No timely petition for writ relief has been filed. The notices of intent as to J.S. and J.G. are deemed to be abandoned. The case is dismissed.
- D056573     In re Finochio on Habeas Corpus**  
The order is reversed. Huffman, Acting P.J.; Nares, J., Aaron, J.
- D054967     Chavira v. Palomar Medical Center, Medical Executive Committee**  
The judgment is affirmed. O'Rourke, J.; We Concur: McConnell, P.J., Irion, J.
- D056767     People v. Martinez**  
The judgment is affirmed.  
Haller, Acting P.J.; We Concur: McDonald, J., McIntyre, J.
- D056681     Gonzales v. City of San Diego et al.**  
Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 8.220(a). The appeal is dismissed.
- D055906     In re Montelongo on Habeas Corpus**  
The order granting the petition for habeas corpus is reversed. The case is remanded to the superior court to enter a new order denying the petition.  
Huffman, Acting P.J.; We Concur: McIntyre, J., O'Rourke, J.
- D057349     In re Fields on Habeas Corpus**  
The petition is denied.
- D056906     People v. Goodwin**  
Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.316.)

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- D056476     In re Adriana A., a Juvenile**  
The order is affirmed. Irion, J.; We Concur: O'Rourke, J., Aaron, J.
- D056030     People v. Sandoval**  
The judgment is affirmed. Benke, J.; We Concur: McConnell, P.J., Nares, J.
- D056399     In re Max H., a Juvenile**  
The judgment is affirmed. McDonald, J.; We Concur: McConnell, P.J., Irion, J.
- D057455     In re Paez on Habeas Corpus**  
The petition is denied.
- D055133     People v. Silva**  
The judgment is affirmed.  
Huffman, Acting P.J.; We Concur: Nares, J., McIntyre, J.
- D056832     People v. Schwartz**  
**D056833     People v. Schwartz**  
**D056834     People v. Schwartz**  
(Consolidated) Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.316.)
- D056110     In re Maria R. et al., Juveniles**  
The opinion filed on May 27, 2010, is modified. There is no change in judgment.
- D056441     In re Brittney S., a Juvenile**  
The orders are affirmed. Aaron, J.; We Concur: McConnell, P.J., McIntyre, J.
- D056652     Center for Biological Diversity et al. v. County of San Bernardino/Nursery Products, LLC**  
**D056648     Center for Biological Diversity et al. v. County of San Bernardino/Nursery Products, LLC**  
(Consolidated) The opinion, filed and certified for publication on May 25, 2010, is now ordered certified for publication in its entirety.
- D054139     Milan v. City of Holtville**  
The judgment is reversed and remanded with instructions that judgment be entered in favor of the city. The city to recover its costs of appeal.  
Benke, J.; We Concur: McConnell, P.J., Huffman, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
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DIVISION ONE  
June 23, 2010 (Continued)

**D057442     In re Mena on Habeas Corpus**  
The petition is denied.

**D057549     In re Ewing on Habeas Corpus**  
The petition is denied.

**D057491     In re Miller on Habeas Corpus**  
The petition is denied.

**D057545     Mitchell v. Superior Court of San Diego County/People**  
The petition is denied.

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- D055222    People v. Holley**  
The judgment is affirmed.  
Irion, J.; We Concur: McDonald, Acting P.J., McIntyre, J.
- D056475    In re M. R., a Juvenile**  
The judgment is affirmed.    McConnell, P.J.; We Concur: Benke, J., Haller, J.
- D056548    People v. Acevedo**  
The judgment is affirmed.    Huffman, J.; We Concur: Benke, Acting P.J., Nares, J.
- D054557    People v. Stamps**  
The judgment of conviction is affirmed.  
Benke, J.; We Concur: McConnell, P.J., Irion, J.
- D055668    Munn v. Briggs et al.**  
The petition for rehearing is denied.
- D055727    Cameron et al. v. Lugo Jr.**  
We reverse the order denying Lugo’s motion to vacate the renewal of judgment.  
Upon remand, the court is directed to vacate the renewal of judgment and consider whether to permit “another and different” renewal of judgment. (See 683.170, subd. (c).) Lugo is entitled to recover his costs on appeal.  
Haller, J.; We Concur: Huffman, Acting P.J., McIntyre, J.
- D055447    Jencks et al. v. DeHaven et al.**  
The judgment is affirmed.    The Jencks shall recover their costs on appeal.  
Nares, Acting P.J.; We Concur: McDonald, J., Aaron, J.
- D057355    In re McBride on Habeas Corpus**  
The petition is denied.
- D057397    In re Young on Habeas Corpus**  
The petition and motions are denied.
- D057329    Christopher v. Runnells**  
Pursuant to California Rules of Court, rule 8.140, the appeal filed May 11, 2010, is dismissed for appellant's failure to timely designate the record (Cal. Rules of Court, rule 8.121(a)).
- D057546    In re Cappello on Habeas Corpus**  
The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
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**D054343     People v. Vang et al.**

**D054636     People v. Vang et al.**

(Consolidated) Order modifying opinion and denying petition for rehearing [no change in judgment].

**D056084     People v. Chavez**

The judgment is affirmed.

Irion, J.; We Concur: McDonald, Acting P.J., O'Rourke, J.

**D057069     In re A. L., a Juvenile**

Upon written request filed by appellant, the appeal is dismissed and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.244(c)(2).)

**D054827     People v. Gillispie**

It is ordered that the opinion filed herein on June 11, 2010, be modified as follows:

On page 20, the Disposition paragraph, beginning "The judgment is reversed" is deleted in its entirety and the following paragraph is inserted in its place:

The judgment is reversed, and the case is remanded to the trial court for reconsideration of defendant's equal protection argument in light of *People v. McKee* (2010) 47 Cal.4th 1172, and the resolution of the proceedings on remand in *McKee* (see 47 Cal.4th at pp 1208-1210), including any proceeding in the Superior Court of San Diego County in which *McKee* may be consolidated with related matters. The trial court shall suspend further proceedings in this case pending finality of the proceedings on remand in *McKee*. "Finality of the proceedings" shall include the finality of any subsequent appeal and any proceedings in the California Supreme Court.

This modification changes the judgment.

Respondent's petition for rehearing is denied.

**D056400     People v. Hernandez**

The judgment is affirmed.

McConnell, P.J.; We Concur: Nares, J., McIntyre, J.

**D056125     In re Jeanne L., a Juvenile**

The order is affirmed. McConnell, P.J.; We Concur: McIntyre, J., Aaron, J.

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**D054550    Villa Vicenza Homeowners Association v. Nobel Court Development,  
LLC**  
The petition for rehearing is granted.